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Date: May 21, 2007

By: 

Rena lov



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: DAVIDSON, R. STEVEN

APPLICATION NO.: 10/713,544

FILED: NOVEMBER 14, 2003

FOR: **EDIBLE FILM FOR RELIEF OF COUGH OR SYMPTOMS ASSOCIATED WITH PHARYNGITIS**

EXAMINER: EBRAHIM, NABILA G

ART UNIT: 1618

CONF. NO: 7965

**Supplemental Information Disclosure Statement**  
**Within Three Months of Application Filing or**  
**Before First Action – 37 C.F.R. § 1.97(b)**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☐ Copies of the following references are enclosed:

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

- ☐ Copies of the following references can be found in parent U.S. Application No. :
  - ☐ All cited references
  - ☐ References marked by asterisks
  - ☐ The following:
- ☒ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
  - ☐ All cited references
  - ☐ References marked by ampersands
  - ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

- ☐ Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
  - ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

- ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2586.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Coie LLP

Date: May 18, 2007

  
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Joseph P. Hamilton  
Registration No. 51,770

Correspondence Address:

Customer No. 34055  
Perkins Coie LLP  
Patent – LA  
P.O. Box 1208  
Seattle, WA 98111-1208  
Phone: (310) 788-9900  
Fax: (310) 788-3399

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Form PTO-1449 (Modified)  
(Use several sheets if necessary)



**COMPLETE IF KNOWN**

Application Number				10/713,544	
Confirmation Number				7965	
Filing Date				November 14, 2003	
First Named Inventor				R. Steven Davidson	
Group Art Unit				1618	
Examiner Name				EBRAHIM, NABILA G	
Attorney Docket No.				57778.8001.US01	
Sheet	1	of	1		

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	A1	US20030008008		Leung et al.	01/09/2003	
	A2	US20030211136		Kulkarni et al.	11/13/2003	
	A3	US20040136922		Leung et al.	07/15/2004	
	A4	US20040247649		Pearce et al.	12/09/2004	
	A5	US20050031675		Leung et al.	02/10/2005	
	A6	US20050089548		Virgalitto et al.	04/28/2005	
	A7	US20060039953		Leung et al.	02/23/2006	
	A8	US20060147493		Yang et al.	07/06/2006	
	A9	US20060205629		MacQuarrie	09/14/2006	
	A10	6,596,298		Leung et al.	07/22/2003	
	A11	6,660,292		Zerbe et al.	12/09/2003	
	A12	7,025,983		Leung et al.	04/11/2006	
	A13	7,067,116		Bess et al.	06/27/2006	
	A14	7,132,113		Zerbe et al.	11/07/2006	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				

**OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).</p>	